

EXHIBIT D

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

INACOM CORP., on behalf of)
All affiliated Debtors,)
)
 Plaintiff,)
)
) Civil Action
v.) No. 04-593GMS
)
INGRAM ENTERTAINMENT, INC.,) Adversary Case
Successor in interest to) No. 02-03960PIW
NASHVILLE COMPUTER)
LIQUIDATORS,)
)
 Defendant.)

DRAFT

DEPOSITION OF STEVEN GADSEY

August 3, 2005

Taken on Behalf of the Plaintiff

APPEARANCES:

For the Plaintiff: Hon. Jeffrey P. Nolan
10100 Santa Monica Blvd.
11th Floor
Los Angeles, CA 90067

For the Defendant: Hon. Jonathan P. Hersey
650 Town Center Drive
4th Floor
Costa Mesa, CA 92626

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Reported by: Marilyn Gorski, CCR #0174

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The deposition of STEVEN L. GADSEY, taken on behalf of the Plaintiff and taken pursuant to notice on August 3, 2005, beginning at approximately 10:00 a.m., at Two Ingram Blvd., Lavergne, Tennessee, pursuant to stipulations of counsel.

S T I P U L A T I O N S

It is agreed that the court reporter, being a notary public for the State of Tennessee, may swear the deponent, take the deposition on the Stenograph shorthand machine and afterwards reduce the same to typewriting when it may be used for all purposes provided by the Federal Rules of Civil Procedure governing depositions.

It is further agreed that the reading of the completed deposition by the deponent and the signature of the deponent are not waived.

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1 fish sandwich together, then --

2 A. Well we did discuss --

3 MR. HERSEY: Let me interpose an
4 objection and instruct the witness not to
5 reveal the substance of any conversation
6 of which I was a party along with any of
7 the other counsel for the other Defendants
8 in this case, Tech Data or Lexmark or
9 Dell, on the basis of the joint defense
10 privilege.

11 BY MR. NOLAN:

12 Q. Why don't we do this, not that I
13 necessarily agree with that but to kind of
14 define the issue: When you had your
15 conversation at the mediation with someone who
16 you perceived was from Tech Data, can you tell
17 me where you were?

18 A. In your law office.

19 Q. In a conference room or in the
20 hallway?

21 A. Conference room.

22 Q. And who was present?

23 A. We all were. Their attorneys,
24 their representatives from Lexmark, Tech Data,
25 Ingram.